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9 Attorneys for Plaintiff PCR DISTRIBUTING CO.

10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA
12 WESTERN DIVISION

13 PCR DISTRIBUTING CO., a company
14 organized under the laws of California,

15 vs.

16 JOHN DOES 1 - 20 d/b/a,
17 NHENTAL.NET

18 Defendants.

Case No.: 2:24-cv-07453- FLA-AJR

**DECLARATION OF ERIC
BJORGUM IN SUPPORT OF
PLAINTIFF PCR DISTRIBUTING
CO.'S REPLY RE MOTION FOR
EARLY DISCOVERY AND
OPPOSITION TO DEFENADNT
NHENTAL.NET'S MOTION FOR
PROTECTIVE ORDER**

Date: October 30, 2024

Time: 9:30 a.m.

Place: Courtroom 780

Roybal Fed. Bldg.

225 E. Temple St.

Los Angeles, California 90012

Judge: Hon. A. Joel Richlin

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DECLARATION OF A. ERIC BJORGUM IN SUPPORT
OF PLAINTIFF'S MOTION FOR EARLY DISCOVERY
AND IN OPPOSITION TO DEFENDANT'S MOTION
FOR PROTECTIVE ORDER

Case No. 2:24-cv-07453

- 1

KARISH & BJORGUM, PC
119 E. Union St., Suite B
Pasadena, California 91103
(213) 785-8070

1 I, A. Eric Bjorgum, under penalty of perjury, declare and state as follows:

2 1. I am an attorney at law licensed to practice before the state and federal
3 Courts in the State of California. I am a principal attorney with the Karish &
4 Bjorgum, PC, attorneys for Plaintiff PCR Distributing Company. Unless otherwise
5 stated, I have personal knowledge of the facts contained herein in this declaration
6 and, if called and sworn as a witness, could and would competently testify thereto.

7 2. Before this matter was filed, I filed a separate action under the Digital
8 Millenium Copyright Act seeking information regarding the identity of the owners
9 of Defendant nhentai.net. That action was styled as *In re; DMCA Subpoena to*
10 *Cloudflare, Inc.*, Case No. 2:24-mc-00084-JFW-PVC (the “DMCA Action”).

11 3. Soon after the DMCA Action was filed, I was contacted by counsel for
12 nhentai.net, who is the same counsel representing nhentai.net in this action.
13 Nhentai.net’s counsel filed a Motion to Quash the subpoena. The Motion to Quash
14 did not mention any “permission” or an agreement with my client. Attached hereto
15 as Exhibit A is a true and correct copy of the Motion to Quash filed in the DMCA
16 Action. This is the third time Defendant’s counsel has attempted to prevent my
17 client from learning Defendant’s identity.

18 4. The server log files sought here contain IP addresses tied to the login
19 actions, uploads, and other actions carried out by the operators of the website(s) –
20 not end users. Each time the operator logs into the nhentai.net website servers,
21 uploads content, or takes administrative actions, server log files capture the IP
22 addresses associated with those activities. By analyzing this data, a party can
23 establish a pattern of behavior and correlate the IP addresses with specific
24 geographic locations and internet service providers.

25 5. The website at issue in this case does not permit end users to upload
26 content, and Plaintiff does not seek to learn the identities of end users. Attached

1 hereto as Exhibit B is a true and correct copy of an email message from me to
2 Defendant's counsel confirming that we are not seeking information regarding end
3 users.

4
5 I declare under the penalty of perjury under the laws of the United States of
6 America that the foregoing is true and correct.

7
8 Execute on the 21st day of October, 2024 at Pasadena, California.

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11 /s/ A. Eric Bjorgum
12 A. Eric Bjorgum
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DECLARATION OF A. ERIC BJORGUM IN SUPPORT
OF PLAINTIFF'S MOTION FOR EARLY DISCOVERY
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